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June 20, 2023

**VIA ECF**

Honorable Jesse M. Furman  
United States District Court  
Southern District of New York  
40 Centre Street, Room 2202  
New York, New York 10007

Re: Garrison Redd v. 817 Lexington Ave I LLC, et al.  
Case No. 23-cv-2552 (JMF) (BCM)

Dear Judge Furman:

We represent all defendants in the above-captioned action and are writing jointly with plaintiff's counsel, in accordance with Section 2(E) of Your Honor's rules, to respectfully request that (i) the initial pretrial conference—and related filing deadlines—be adjourned from June 27, 2023 to a date and time that is convenient to the Court on or after July 27, 2023; and (ii) defendants' time to respond to the complaint be extended from June 24, 2023 to July 24, 2023.<sup>1</sup>

The reason for this request is that the parties are unable to conduct their mediation prior to the currently scheduled initial pretrial conference through no fault of their own. Specifically, on June 9, 2023, as the parties were attempting to schedule a mediation date, the parties' assigned mediator advised that he had fallen ill and could not conduct a pre-mediation conference or mediation for a few weeks. The mediator has since recovered, however—the parties' pre-mediation conference is now scheduled for June 26<sup>th</sup>, and we expect to mediate in early July.

Relatedly, permitting the parties to mediate before requiring defendants to respond to the complaint would allow for a more efficient use of their time and resources, with more resources being devoted to potential resolution as opposed to litigation.

<sup>1</sup> Initially, our firm represented defendant Equinox 63<sup>rd</sup> Street Inc. ("Equinox") only. However, we recently assumed representation of the remaining defendants and we are contemporaneously filing notices of appearance on their behalf.

For these reasons, the parties respectfully request that the Court grant their instant application.

This is the parties' first request to adjourn the initial pretrial conference and defendants' second request to extend their time to respond to the complaint.

Respectfully submitted,

/s/ *John L. Garcia*

John L. Garcia  
Patrick McPartland

cc: All counsel of record (*via ECF*)

Application GRANTED. The conference currently scheduled for June 27, 2023, is hereby rescheduled to August 1, 2023, at 9:00 a.m. The Clerk of Court is directed to terminate ECF No. 25.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'John L. Garcia', written in a cursive style.

June 21, 2023